Case 3:08-cr-00676-W

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA '08 MJ 81 16

UNITED STATES OF AMERICA Magistrate Case No.: COMPLAINT FOR VIOLATION OF Plaintiff, 21 U.S.C. § 952 and 960 ν. Importation of a Controlled Angel VAZQUEZ-Toledo Substance (Felony) Defendant.

The undersigned complainant being duly sworn states:

That on or about February 7, 2008, within the Southern District of California, defendant Manuel Angel VAZQUEZ-Toledo, did knowingly and intentionally import approximately 35.38 kilograms (77.84 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

> Renato Gates Special Agent U. S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 8th DAY OF February 2008.

> MAGISTRATE JUDGE UNITED STATES

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UNITED STATES OF AMERICA v. Angel VAZQUEZ-Toledo

STATEMENT OF FACTS

This complaint is based on the reports, documents, and notes furnished to U. S. Immigration and Customs Enforcement Special Agent Renato Gates

On February 7, 2008, at approximately 1540 hours, Angel VAZQUEZ-Toledo, driver of a 2008 Dodge Avenger entered the United States from the Republic of Mexico via the Calexico, CA West Port of Entry.

Customs & Border Protection Officer (CBPO) J. Jones, with his Human and Narcotic Detector Dog (HNDD) Trigger, was conducting pre-primary screening of vehicles when his HNDD alerted to the 2008 Dodge Avenger VAZQUEZ-Toledo was driving. CBPO Carp approached the Dodge Avenger bearing BAMX plate AHE1653 and received a negative oral Customs declaration from the driver VAZQUEZ-Toledo. CBPO Carp asked VAZQUEZ-Toledo about the vehicle he was driving and VAZQUEZ-Toledo said he was the owner of the vehicle. VAZQUEZ-Toledo said he was going shopping in the United States. CBPO Carp noticed VAZQUEZ-Toledo was looking toward CBPO Jones and back, rapidly and repeatedly. CBPO Carp escorted VAZQUEZ-Toledo, and the vehicle to the secondary inspection lot for further examination.

CBPO Carp conducted a search of the vehicle which revealed 30 packages concealed within a specially built compartment located in the rocker panels. The approximate weight of the packages was 35.38 kilograms (77.84 pounds). CBPO Carp probed one of the packages, producing a white powdery substance, which field-tested positive for cocaine.